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**COPY**

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E-Filed

Attorneys for Defendant  
COUNTY OF ALAMEDA, DEPUTY J. RUSSELL,  
and DEPUTY DEREK MEZA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANGEL JAMES MENDEZ,

Plaintiff,

vs.

COUNTY OF ALAMEDA, a municipal  
corporation; DEPUTY J. RUSSELL OR  
DOE 1; DEPUTY ANTHONY MAZA OR  
ANTHONY MEZA OR ANTHONY MESA  
OR DOE 2; DEPUTY BARCELLI OR  
DOE 3; DEPUTY CAPPETTI OR DOE 4;  
DOES 5-100, inclusive,

Defendants.

Case No.: C03 4485 PJH

**STIPULATION AND ORDER  
EXTENDING THE TIME TO  
COMPLETE FACT WITNESS  
DISCOVERY**

**Trial Date: March 27, 2006**

Defendants COUNTY OF ALAMEDA, DEPUTY J. RUSSELL, and DEPUTY  
ANTHONY MEZA (hereinafter "Defendants") and Plaintiff ANGEL MENDEZ request the  
Court extend the time to complete fact discovery for 30 days from September 14, 2005 to  
October 14, 2005.

The reason for this requested extension of time is that the parties and their counsel are  
having great difficulty relocating essential witnesses to the events at the former Hayward  
residence of Barbara Overland. These witnesses include Barbara Overland, Rory Overland, and  
Cory Overland. The Overlands appear to have left their county of residence (Alameda) and  
perhaps the State of California. Efforts to locate Cory Overland, include an examination of  
County Jail records. We have not been able to locate Barbara Overland, Randy Overland, or

1 Cory Overland:

2 Plaintiff's counsel has a pressing trial schedule on both civil and criminal defense cases  
3 that precludes his availability to participate in depositions during the month of July and August  
4 2005.

5 The parties previously stipulated to continue expert witness disclosure from  
6 June 15, 2005 to November 1, 2005, and the Court has allowed this extension by a previous  
7 Order.

8 The requested 30 day extension of the time to complete fact discovery will not  
9 adversely impact, and will actually affirmatively assist, the parties preparation of the case for  
10 trial in accordance with the Court's scheduling order.

11 IT IS HEREBY STIPULATED by the parties, through their counsel, as follows that the  
12 time to complete fact discovery is extended 30 days from September 14, 2005 to  
13 October 14, 2005.

14 Dated: July 29, 2005

LAW OFFICES OF JAMES B. CHANIN

15 By: 

James B. Chanin  
Attorney for Plaintiff  
ANGEL JAMES MENDEZ

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18  
19 Dated: July 29, 2005

STRICKLAND, HAAPALA,  
ALTURA, THOMPSON & ABERN, LLP

20  
21 By: 

Clyde A. Thompson  
Attorneys for Defendants  
COUNTY OF ALAMEDA,  
DEPUTY J. RUSSELL, and  
DEPUTY D. MEZA

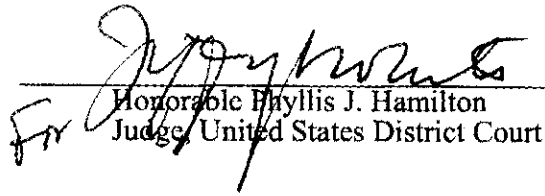
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25 **ORDER**

26 The Court having considered the proposed stipulation regarding writings and  
27 documents of the parties to this action, and there being good cause,

28 //

1 IT IS ORDERED discovery cutoff is extended from September 14, 2005 to  
2 October 14, 2005.

3 Dated: 8/9/05

4   
5 Honorable Phyllis J. Hamilton  
6 Judge, United States District Court  
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